

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

Public Services- Irrigation & CAD Department – Irregularities in drawing mobilization of Labour and equipment advances under EPC – Neelwai Medium Irrigation Project – Construction of Head works and canals of “Proposed Reservoir across Peddavagu stream near Neelwai(V), Vempally(M,) Adilabad Dist.” (Package- 12)– Disciplinary action initiated against Sri P. Ramaiah the then EE now CE(Retd.) and (4) other officers – Enquiry conducted –Conclusion of disciplinary proceedings - Further action dropped – Orders - Issued.

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### IRRIGATION & C.A.D. (Ser.VII.(V&E)A.1) DEPARTMENT

**G.O.Rt. No. 579**

**Dated: 20-06-2013**

**Read the following:**

- Ref: 1. Director General (Vig. & Enft.) & E.O. Prl. Secy. to Govt. G.A.D. Appraisal Report No. 60(1073/V&E.E1/05),Dt. 29-07-2006.
2. G.O.Rt. Nos.1473 to 1477, I&CAD(Ser.VII(V&E) A1)Dept. dt. 06-12-2010.
3. WSSDs of the COs.
4. G.O. Rt. No. 847, I&CAD(Ser.VII.(V&E-1) Dept. dt. 12-08-2011
5. From Sri C. Muralidhar, ENC(Irrigation),I&CAD Dept., Hyderabad Lr. No.ENC(I)/ENQUIRY5/2011, dt. 06-01-2012.
6. Govt. Memo No. 23466/Ser.VII.(V&E)A.1/2006-14, dt.29-03-2012.
7. From Sri P. Ramaiah, I/C SE Rept. dt. 16-4-2012.
8. From Sri Md. Amjad Hussain, Dy.EE Rept. dt. 7-4-2012.
9. From Sri G. Venu Babu, Dy.EE Rept. dt. Nil.
10. From Sri M. Vinay Babu, Dy.EE Rept. dt. Nil.
11. From Sri K. Ramesh, AE Rept. dt. 18-05-2012.
12. Govt. Memo No. 23466/Ser.VII(V&E)A1/2006-15, dt. 13-7-2012.
13. From Engineer-in-Chief, Medium Irrigation, Hyd. Lrs.No.DCE-III/OT2/M2/Nilwai, dt. 07-08-2012 and 24.09.2012.

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### ORDER:

In the reference 1<sup>st</sup> read above, it has been brought to the notice of the Government that certain irregularities were took place in drawing mobilization of Labour and equipment advances in construction of Head works and canals of “Proposed Reservoir across Peddavagu stream near Neelwai (V), Vempally(M,) Adilabad Dist (Package- 12)” with a recommendation to initiate suitable departmental action against the officers responsible.

2. After examination of the matter, it has been decided to initiate departmental action against the engineers responsible. Accordingly, in the reference 2<sup>nd</sup> read above, disciplinary proceedings have been initiated against the following officers by way of issuing articles of charges with a direction to submit their Written Statements of Defence on the charges framed against them.

1. Sri P. Ramaiah, EE now SE,
2. Sri Md. Amjad Hussain, Dy.EE,
3. Sri M. Vinay Babu, AEE,
4. Sri G. Venu Babu, AEE,
5. Sri K. Ramesh, AE

3. In the reference 3<sup>rd</sup> read above, all the above five (5) Charged Officers have submitted their Written Statements of Defence, denying the charges framed against them.
4. After examining the Written Statements of Defence of all the charged officers, it has been decided to conduct a detailed inquiry into the charges framed against them. Accordingly, in the reference 4<sup>th</sup> read above, Sri C. Muralidhar, Engineer-in-Chief(Irrigation), I&CAD Dept., Hyderabad has been appointed as Inquiry Officer to conduct a detailed inquiry into the charges framed against the above charged officers. In the reference 5<sup>th</sup> read above, the inquiry officer has submitted his inquiry report stating that the charges framed against all the above (5) charged officers are held as not proved.
5. After examining the enquiry report, it has been decided to deviate with the findings of the inquiry officer for the following reasons:

“The so called “proforma invoice” produced by the contractor was a mere quotation. It did not constitute the proof of ordering the machinery. The engineers who were supposed to release Mobilization Advance only on production of proof of ordering the machinery, did not insist for such proof, in the form of invoices or otherwise. Instead, they released Mobilization advance to the tune of Several Crores Rupees to the contractor merely based on quotations. Connivance or no connivance, this indeed was a violation of the agreement conditions, not to speak of total lack of due diligence on part of the charged officers. This provided scope to the contractor to put the Mobilization Advance to other uses(by way of deploying old machinery in site instead of new machinery), before the advance was recovered in one lumpsum.

When the charge itself pertained to violation of agreement conditions and was not about connivance, IA herping on the point that there was no connivance on part of charged officers, is extraneous to the charge. Also, IA holding that the charge framed was beyond the scope of the findings of the V&E Department, was none of his business. GA(V&E) department is only an investigating agency, and Government being the disciplinary authority, have unfettered powers to draw inferences from the findings of V&E Dept. and initiate action appropriately. Also, that the V&E Report was only an Appraisal Report, and did not recommend disciplinary action against engineers, is besides the point.” .
6. In the reference 6<sup>th</sup> read above, while communicating the above disagreement factors of the Govt. with the findings of the Inquiry Officer, all the above charged officers have been directed to submit their explanations if any thereon.
7. In the reference 7<sup>th</sup> to 11<sup>th</sup> read above, all the charged officers have submitted their explanations on the above disagreement factors of the Govt. with a request to drop further action against them. One of the charged officer Sri P. Ramaiah, I/C SE while furnishing the copies of the Purchase orders dated 21-08-2005 & dated 22-11-2005 of M/s MVR-SOHAM J.V. Hyderabad has requested to reconsider the decision of deviating from the findings of the Inquiry Officer and drop further action against him.

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8. The copies of purchase orders produced by Sri P.Ramaiah, I/C S.E. have been examined in consultation with the Engineer-in-Chief, Medium Irrigation, Hyderabad and the Engineer-in-Chief, Medium Irrigation, Hyderabad in his letter 13<sup>th</sup> read above has reported that the said purchase orders are found available in the records of the I.B. Division, Mancherial.

9. After careful examination of the entire matter, it has been decided to drop further action against all the (5) engineers as shown in para(2) above. Accordingly, Government hereby drop further action against Sri P. Ramaiah, I/C SE now CE(Retd.), Sri Md. Amjad Hussain, Dy.EE, Sri M. Vinay Babu, AEE, Sri G. Venu Babu, AEE and Sri K. Ramesh, AE in the matter of drawing mobilization of Labour and equipment advances in construction of Head works and canals of "Proposed Reservoir across Peddavagu stream near Neelwai (V), Vempally(M,) Adilabad Dist (Package-12)".

10. The Irrigation & CAD(Ser.I/II) Department / the Engineer-in-Chief (AW), I&CAD Department, Hyderabad shall take further necessary action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**SHAIENDRA KUMAR JOSHI  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The individuals (**Through**) the Engineer-in-Chief(AW) , I&CAD Department, Hyderabad .

The Engineer-in-Chief(AW) , I&CAD Department, Hyderabad

The Irrigation & CAD (Ser.I/II) Department.

**Copy to:**

The Accountant General, AP., Hyderabad.

The General Administration (V&E) Department.

The Secretary to VC, A.P.VC, Hyderabad.

SF/SC

**//FORWARDED : BY ORDER//**

**SECTION OFFICER**